

# House File 784 - Enrolled

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1 3 AN ACT  
1 4 TO ESTABLISH AN ADVANCED PRACTICE REGISTERED NURSE COMPACT  
1 5 AND INCLUDING A FUTURE REPEAL.  
1 6  
1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
1 8  
1 9 Section 1. Section 147.2, unnumbered paragraph 2, Code  
1 10 2005, is amended to read as follows:  
1 11 For purposes of this section, a person who is licensed in  
1 12 another state and recognized for licensure in this state  
1 13 pursuant to the nurse licensure compact contained in section  
1 14 152E.1 or pursuant to the advanced practice registered nurse  
1 15 compact contained in section 152E.3 shall be considered to  
1 16 have obtained a license to practice nursing from the  
1 17 department.  
1 18 Sec. 2. Section 147.5, unnumbered paragraph 2, Code 2005,  
1 19 is amended to read as follows:  
1 20 This section shall not apply to a person who is licensed in  
1 21 another state and recognized for licensure in this state  
1 22 pursuant to the nurse licensure compact contained in section  
1 23 152E.1 or pursuant to the advanced practice registered nurse  
1 24 compact contained in section 152E.3.  
1 25 Sec. 3. Section 147.7, unnumbered paragraph 2, Code 2005,  
1 26 is amended to read as follows:  
1 27 This section shall not apply to a person who is licensed in  
1 28 another state and recognized for licensure in this state  
1 29 pursuant to the nurse licensure compact contained in section  
1 30 152E.1 or pursuant to the advanced practice registered nurse  
1 31 compact contained in section 152E.3. A person licensed in  
1 32 another state and recognized for licensure in this state  
1 33 pursuant to the compact shall, however, maintain a copy of a  
1 34 license issued by the person's home state available for  
1 35 inspection when engaged in the practice of nursing in this  
2 1 state.  
2 2 Sec. 4. Section 152.6, Code 2005, is amended to read as  
2 3 follows:  
2 4 152.6 LICENSES == PROFESSIONAL ABBREVIATIONS.  
2 5 The board may license a natural person to practice as a  
2 6 registered nurse or as a licensed practical nurse. However,  
2 7 only a person currently licensed as a registered nurse in this  
2 8 state may use that title and the abbreviation "RN" after the  
2 9 person's name and only a person currently licensed as a  
2 10 licensed practical nurse in this state may use that title and  
2 11 the abbreviation "LPN" after the person's name. For purposes  
2 12 of this section, "currently licensed" includes persons  
2 13 licensed in another state and recognized for licensure in this  
2 14 state pursuant to the nurse licensure compact contained in  
2 15 section 152E.1 or pursuant to the advanced practice registered  
2 16 nurse compact contained in section 152E.3.  
2 17 Sec. 5. Section 152.7, unnumbered paragraph 2, Code 2005,  
2 18 is amended to read as follows:  
2 19 For purposes of licensure pursuant to the nurse licensure  
2 20 compact contained in section 152E.1 or pursuant to the  
2 21 advanced practice registered nurse compact contained in  
2 22 section 152E.3, the compact administrator may refuse to accept  
2 23 a change in the qualifications for licensure as a registered  
2 24 nurse or as a licensed practical or vocational nurse by a  
2 25 licensing authority in another state which is a party to the  
2 26 compact which substantially modifies that state's  
2 27 qualifications for licensure in effect on July 1, 2000. A  
2 28 refusal to accept a change in a party state's qualifications  
2 29 for licensure may result in submitting the issue to an  
2 30 arbitration panel or in withdrawal from the compact, at the  
2 31 discretion of the compact administrator.  
2 32 Sec. 6. Section 152.8, subsections 1 and 2, Code 2005, are  
2 33 amended to read as follows:  
2 34 1. A license possessed by an applicant from a state which  
2 35 has not adopted the nurse licensure compact contained in  
3 1 section 152E.1 or the advanced practice registered nurse  
3 2 compact contained in section 152E.3 shall be recognized by the  
3 3 board under conditions specified which indicate that the  
3 4 licensee meets all the qualifications required under section  
3 5 152.7. If a foreign license is recognized, the board may

3 6 issue a license by endorsement without an examination being  
3 7 required. Recognition shall be based on whether the foreign  
3 8 licensee is qualified to practice nursing. The board may  
3 9 issue a temporary license to a natural person who has  
3 10 completed the requirements of and applied for licensure by  
3 11 endorsement. The board shall determine the length of time a  
3 12 temporary license shall remain effective.

3 13 2. A license possessed by an applicant and issued by a  
3 14 state which has adopted the nurse licensure compact contained  
3 15 in section 152E.1 or the advanced practice registered nurse  
3 16 compact contained in section 152E.3 shall be recognized  
3 17 pursuant to the provisions of that section.

3 18 Sec. 7. Section 152.10, subsection 2, paragraph d,  
3 19 subparagraph (2), Code 2005, is amended to read as follows:

3 20 (2) Having a license to practice nursing as a registered  
3 21 nurse or licensed practical nurse revoked or suspended, or  
3 22 having other disciplinary action taken, by a licensing  
3 23 authority in another state which has adopted the nurse  
3 24 licensure compact contained in section 152E.1 or the advanced  
3 25 practice registered nurse compact contained in section 152E.3  
3 26 and which has communicated information relating to such action  
3 27 pursuant to the coordinated licensure information system  
3 28 established by the compact. If the action taken by the  
3 29 licensing authority occurs in a jurisdiction which does not  
3 30 afford the procedural protections of chapter 17A, the licensee  
3 31 may object to the communicated information and shall be  
3 32 afforded the procedural protections of chapter 17A.

3 33 Sec. 8. Section 152E.2, unnumbered paragraph 1, Code 2005,  
3 34 is amended to read as follows:

3 35 The executive director of the board of nursing, as provided  
4 1 for in section 152.2, shall serve as the compact administrator  
4 2 identified in article VIII, section a, of the nurse licensure  
4 3 compact contained in section 152E.1 and as the compact  
4 4 administrator identified in article VIII, section a, of the  
4 5 advanced practice registered nurse licensure compact contained  
4 6 in section 152E.3.

4 7 Sec. 9. NEW SECTION. 152E.3 FORM OF ADVANCED PRACTICE  
4 8 REGISTERED NURSE COMPACT.

4 9 The advanced practice registered nurse compact is entered  
4 10 into and enacted into law with all jurisdictions legally  
4 11 joining therein, in the form substantially as follows:

4 12 ARTICLE I == FINDINGS AND DECLARATION OF PURPOSE

4 13 a. The party states find all of the following:

4 14 1. The health and safety of the public are affected by the  
4 15 degree of compliance with advanced practice registered nurse  
4 16 licensure and practice requirements and the effectiveness of  
4 17 enforcement activities related to state advanced practice  
4 18 registered nurse license or authority to practice laws.

4 19 2. Violations of advanced practice registered nurse  
4 20 licensure and practice and other laws regulating the practice  
4 21 of nursing may result in injury or harm to the public.

4 22 3. The expanded mobility of advanced practice registered  
4 23 nurses and the use of advanced communication technologies as  
4 24 part of our nation's health care delivery system require  
4 25 greater coordination and cooperation among states in the areas  
4 26 of advanced practice registered nurse licensure and practice  
4 27 requirements.

4 28 4. New practice modalities and technology make compliance  
4 29 with individual state advanced practice registered nurse  
4 30 licensure and practice requirements difficult and complex.

4 31 5. The current system of duplicative advanced practice  
4 32 registered nurse licensure and practice requirements for  
4 33 advanced practice registered nurses practicing in multiple  
4 34 states is cumbersome and redundant to both advanced practice  
4 35 registered nurses and states.

5 1 6. Uniformity of advanced practice registered nurse  
5 2 requirements throughout the states promotes public safety and  
5 3 public health benefits.

5 4 7. Access to advanced practice registered nurse services  
5 5 increases the public's access to health care, particularly in  
5 6 rural and underserved areas.

5 7 b. The general purposes of this compact are to:

5 8 1. Facilitate the states' responsibilities to protect the  
5 9 public's health and safety.

5 10 2. Ensure and encourage the cooperation of party states in  
5 11 the areas of advanced practice registered nurse licensure and  
5 12 practice requirements including promotion of uniform licensure  
5 13 requirements.

5 14 3. Facilitate the exchange of information between party  
5 15 states in the areas of advanced practice registered nurse  
5 16 regulation, investigation, and adverse actions.

5 17 4. Promote compliance with the laws governing advanced  
5 18 practice registered nurse practice in each jurisdiction.  
5 19 5. Invest all party states with the authority to hold an  
5 20 advanced practice registered nurse accountable for meeting all  
5 21 state practice laws in the state in which the patient is  
5 22 located at the time care is rendered through the mutual  
5 23 recognition of party state licenses.

5 24 ARTICLE II == DEFINITIONS

5 25 As used in this compact:

5 26 a. "Advanced practice registered nurse" means a nurse  
5 27 anesthetist, nurse practitioner, nurse midwife, or clinical  
5 28 nurse specialist to the extent a party state licenses or  
5 29 grants authority to practice in that advanced practice  
5 30 registered nurse role and title.

5 31 b. "Advanced practice registered nurse licensure and  
5 32 practice requirements" means the regulatory mechanism used by  
5 33 a party state to grant legal authority to practice as an  
5 34 advanced practice registered nurse.

5 35 c. "Advanced practice registered nurse uniform license or  
6 1 authority to practice requirements" means those minimum  
6 2 uniform licensure, education, and examination requirements as  
6 3 agreed to by the compact administrators and adopted by  
6 4 licensing boards for the recognized advanced practice  
6 5 registered nurse role and title.

6 6 d. "Adverse action" means a home or remote state action.

6 7 e. "Alternative program" means a voluntary,  
6 8 nondisciplinary monitoring program approved by a nurse  
6 9 licensing board.

6 10 f. "Coordinated licensure information system" means an  
6 11 integrated process for collecting, storing, and sharing  
6 12 information on advanced practice registered nurse licensure or  
6 13 authority to practice and enforcement activities related to an  
6 14 advanced practice registered nurse license or authority to  
6 15 practice laws, which is administered by a nonprofit  
6 16 organization composed of and controlled by state licensing  
6 17 boards.

6 18 g. "Current significant investigative information" means  
6 19 either of the following:

6 20 1. Investigative information that a licensing board, after  
6 21 a preliminary inquiry that includes notification and an  
6 22 opportunity for the advanced practice registered nurse to  
6 23 respond if required by state law, has reason to believe is not  
6 24 groundless and, if proved true, would indicate more than a  
6 25 minor infraction.

6 26 2. Investigative information that indicates that the  
6 27 advanced practice registered nurse represents an immediate  
6 28 threat to public health and safety regardless of whether the  
6 29 advanced practice registered nurse has been notified and had  
6 30 an opportunity to respond.

6 31 h. "Home state" means the party state that is the advanced  
6 32 practice registered nurse's primary state of residence.

6 33 i. "Home state action" means any administrative, civil,  
6 34 equitable, criminal, or other action permitted by the home  
6 35 state's laws which is imposed on an advanced practice  
7 1 registered nurse by the home state's licensing board or other  
7 2 authority, including actions against an individual's license  
7 3 or authority to practice such as revocation, suspension,  
7 4 probation, or any other action which affects an advanced  
7 5 practice registered nurse's authorization to practice.

7 6 j. "Licensing board" means a party state's regulatory body  
7 7 responsible for issuing advanced practice registered nurse  
7 8 licensure or authority to practice.

7 9 k. "Multistate advanced practice privilege" means current  
7 10 authority from a remote state permitting an advanced practice  
7 11 registered nurse to practice in that state in the same role  
7 12 and title as the advanced practice registered nurse is  
7 13 licensed or authorized to practice in the home state to the  
7 14 extent that the remote state laws recognize such advanced  
7 15 practice registered nurse role and title. A party state has  
7 16 the authority, in accordance with existing state due process  
7 17 laws, to take action against the advanced practice registered  
7 18 nurse's privilege, including revocation, suspension,  
7 19 probation, or any other action that affects an advanced  
7 20 practice registered nurse's multistate privilege to practice.

7 21 l. "Party state" means any state that has adopted this  
7 22 compact.

7 23 m. "Prescriptive authority" means the legal authority to  
7 24 prescribe medications and devices as defined by party state  
7 25 laws.

7 26 n. "Remote state" means a party state, other than the home  
7 27 state, where either of the following applies:

7 28 1. Where the patient is located at the time advanced  
7 29 practice registered nurse care is provided.

7 30 2. In the case of advanced practice registered nurse  
7 31 practice not involving a patient, in such party state where  
7 32 the recipient of advanced practice registered nurse care is  
7 33 located.

7 34 o. "Remote state action" means either of the following:  
7 35 1. Any administrative, civil, equitable, criminal, or  
8 1 other action permitted by a remote state's laws which is  
8 2 imposed on an advanced practice registered nurse by the remote  
8 3 state's licensing board or other authority, including actions  
8 4 against an individual's multistate advanced practice privilege  
8 5 in the remote state.

8 6 2. Cease and desist and other injunctive or equitable  
8 7 orders issued by remote states or the licensing boards of  
8 8 remote states.

8 9 p. "State" means a state, territory, or possession of the  
8 10 United States, the District of Columbia, or the Commonwealth  
8 11 of Puerto Rico.

8 12 q. "State practice laws" means a party state's laws and  
8 13 regulations that govern advanced practice registered nurse  
8 14 practice, define the scope of advanced nursing practice,  
8 15 including prescriptive authority, and create the methods and  
8 16 grounds for imposing discipline. "State practice laws" does  
8 17 not include the requirements necessary to obtain and retain  
8 18 advanced practice registered nurse licensure or authority to  
8 19 practice as an advanced practice registered nurse, except for  
8 20 qualifications or requirements of the home state.

8 21 r. "Unencumbered" means that a state has no current  
8 22 disciplinary action against an advanced practice registered  
8 23 nurse's license or authority to practice.

8 24 ARTICLE III == GENERAL PROVISIONS AND JURISDICTION

8 25 a. All party states shall participate in the nurse  
8 26 licensure compact for registered nurses and licensed practical  
8 27 or vocational nurses in order to enter into the advanced  
8 28 practice registered nurse compact.

8 29 b. A state shall not enter the advanced practice  
8 30 registered nurse compact until the state adopts, at a minimum,  
8 31 the advanced practice registered nurse uniform license or  
8 32 authority to practice requirements for each advanced practice  
8 33 registered nurse role and title recognized by the state  
8 34 seeking to enter the advanced practice registered nurse  
8 35 compact.

9 1 c. Advanced practice registered nurse license or authority  
9 2 to practice issued by a home state to a resident in that state  
9 3 shall be recognized by each party state as authorizing a  
9 4 multistate advanced practice privilege to the extent that the  
9 5 role and title are recognized by each party state. To obtain  
9 6 or retain advanced practice registered nurse licensure and  
9 7 practice requirements as an advanced practice registered  
9 8 nurse, an applicant must meet the home state's qualifications  
9 9 for authority or renewal of authority as well as all other  
9 10 applicable state laws.

9 11 d. The advanced practice registered nurse multistate  
9 12 advanced practice privilege does not include prescriptive  
9 13 authority, and does not affect any requirements imposed by  
9 14 states to grant to an advanced practice registered nurse  
9 15 initial and continuing prescriptive authority according to  
9 16 state practice laws. However, a party state may grant  
9 17 prescriptive authority to an individual on the basis of a  
9 18 multistate advanced practice privilege to the extent permitted  
9 19 by state practice laws.

9 20 e. A party state may, in accordance with state due process  
9 21 laws, limit or revoke the multistate advanced practice  
9 22 privilege in the party state and may take any other necessary  
9 23 actions under the party state's applicable laws to protect the  
9 24 health and safety of the party state's citizens. If a party  
9 25 state takes action, the party state shall promptly notify the  
9 26 administrator of the coordinated licensure information system.  
9 27 The administrator of the coordinated licensure information  
9 28 system shall promptly notify the home state of any such  
9 29 actions by remote states.

9 30 f. An advanced practice registered nurse practicing in a  
9 31 party state must comply with the state practice laws of the  
9 32 state in which the patient is located at the time care is  
9 33 provided. The advanced practice registered nurse practice  
9 34 includes patient care and all advanced nursing practice  
9 35 defined by the party state's practice laws. The advanced  
10 1 practice registered nurse practice subjects an advanced  
10 2 practice registered nurse to the jurisdiction of the licensing  
10 3 board, the courts, and the laws of the party state.

10 4 g. Individuals not residing in a party state may apply for  
10 5 an advanced practice registered nurse license or authority to  
10 6 practice as an advanced practice registered nurse under the  
10 7 laws of a party state. However, the authority to practice  
10 8 granted to these individuals shall not be recognized as  
10 9 granting the privilege to practice as an advanced practice  
10 10 registered nurse in any other party state unless explicitly  
10 11 agreed to by that party state.

10 12 ARTICLE IV == APPLICATIONS FOR ADVANCED PRACTICE REGISTERED  
10 13 NURSE LICENSURE OR AUTHORITY TO PRACTICE IN A PARTY STATE

10 14 a. Once an application for an advanced practice registered  
10 15 nurse license or authority to practice is submitted, a party  
10 16 state shall ascertain, through the coordinated licensure  
10 17 information system, whether the applicant has held, or is the  
10 18 holder of, a nursing license or authority to practice issued  
10 19 by another state, whether the applicant has had a history of  
10 20 previous disciplinary action by any state, whether an  
10 21 encumbrance exists on any license or authority to practice,  
10 22 and whether any other adverse action by any other state has  
10 23 been taken against a license or authority to practice.

10 24 This information may be used in approving or denying an  
10 25 application for an advanced practice registered nurse license  
10 26 or authority to practice.

10 27 b. An advanced practice registered nurse in a party state  
10 28 shall hold an advanced practice registered nurse license or  
10 29 authority to practice in only one party state at a time,  
10 30 issued by the home state.

10 31 c. An advanced practice registered nurse who intends to  
10 32 change the nurse's primary state of residence may apply for an  
10 33 advanced practice registered nurse license or authority to  
10 34 practice in the new home state in advance of such change.  
10 35 However, a new license or authority to practice shall not be  
11 1 issued by a party state until after an advanced practice  
11 2 registered nurse provides evidence of change in the nurse's  
11 3 primary state of residence satisfactory to the new home  
11 4 state's licensing board.

11 5 d. 1. If an advanced practice registered nurse changes  
11 6 the nurse's primary state of residence by moving between two  
11 7 party states, and obtains an advanced practice registered  
11 8 nurse license or authority to practice from the new home  
11 9 state, the advanced practice registered nurse license or  
11 10 authority to practice from the former home state is no longer  
11 11 valid.

11 12 2. If an advanced practice registered nurse changes the  
11 13 nurse's primary state of residence by moving from a nonparty  
11 14 state to a party state, and obtains an advanced practice  
11 15 registered nurse license or authority to practice from the new  
11 16 home state, the individual state license issued by the  
11 17 nonparty state is not affected and shall remain in full force  
11 18 if so provided by the laws of the nonparty state.

11 19 3. If an advanced practice registered nurse changes the  
11 20 nurse's primary state of residence by moving from a party  
11 21 state to a nonparty state, the advanced practice registered  
11 22 nurse license or authority to practice issued by the prior  
11 23 home state converts to an individual state license, valid only  
11 24 in the former home state, without the multistate licensure  
11 25 privilege to practice in other party states.

11 26 ARTICLE V == ADVERSE ACTIONS

11 27 In addition to the general provisions described in article  
11 28 III, the following provisions apply:

11 29 a. The licensing board of a remote state shall promptly  
11 30 report to the administrator of the coordinated licensure  
11 31 information system any remote state actions, including the  
11 32 factual and legal basis for such action, if known. The  
11 33 licensing board of a remote state shall also promptly report  
11 34 any significant current investigative information yet to  
11 35 result in a remote state action. The administrator of the  
12 1 coordinated licensure information system shall promptly notify  
12 2 the home state of any such reports.

12 3 b. The licensing board of a party state shall have the  
12 4 authority to complete any pending investigations for an  
12 5 advanced practice registered nurse who changes the nurse's  
12 6 primary state of residence during the course of such  
12 7 investigations. It shall also have the authority to take  
12 8 appropriate action and shall promptly report the conclusions  
12 9 of such investigations to the administrator of the coordinated  
12 10 licensure information system. The administrator of the  
12 11 coordinated licensure information system shall promptly notify  
12 12 the new home state of any such actions.

12 13 c. A remote state may take adverse action affecting the  
12 14 multistate advanced practice privilege to practice within that

12 15 party state. However, only the home state shall have the  
12 16 power to impose adverse action against the advanced practice  
12 17 registered nurse license or authority to practice issued by  
12 18 the home state.  
12 19 d. For purposes of imposing adverse action, the licensing  
12 20 board of the home state shall give the same priority and  
12 21 effect to reported conduct received from a remote state as it  
12 22 would if such conduct had occurred within the home state. In  
12 23 so doing, it shall apply its own state laws to determine  
12 24 appropriate action.  
12 25 e. The home state may take adverse action based on the  
12 26 factual findings of the remote state, so long as each state  
12 27 follows its own procedures for imposing such adverse action.  
12 28 f. Nothing in this compact shall override a party state's  
12 29 decision that participation in an alternative program may be  
12 30 used in lieu of adverse action and that such participation  
12 31 shall remain nonpublic if required by the party state's laws.  
12 32 Party states must require advanced practice registered nurses  
12 33 who enter any alternative programs to agree not to practice in  
12 34 any other party state during the term of the alternative  
12 35 program without prior authorization from such other party  
13 1 state.

13 2 g. All home state licensing board disciplinary orders,  
13 3 agreed to or otherwise, which limit the scope of the advanced  
13 4 practice registered nurse's practice or require monitoring of  
13 5 the advanced practice registered nurse as a condition of the  
13 6 order shall include the requirements that the advanced  
13 7 practice registered nurse will limit the nurse's practice to  
13 8 the home state during the pendency of the order. This  
13 9 requirement may allow the advanced practice registered nurse  
13 10 to practice in other party states with prior written  
13 11 authorization from both the home state and party state  
13 12 licensing boards.

#### 13 13 ARTICLE VI == ADDITIONAL AUTHORITIES INVESTED IN 13 14 PARTY STATE LICENSING BOARDS

13 15 Notwithstanding any other powers, party state licensing  
13 16 boards shall have the authority to do all of the following:

13 17 a. If otherwise permitted by state law, recover from the  
13 18 affected advanced practice registered nurse the costs of  
13 19 investigations and disposition of cases resulting from any  
13 20 adverse action taken against that advanced practice registered  
13 21 nurse.

13 22 b. Issue subpoenas for both hearings and investigations  
13 23 which require the attendance and testimony of witnesses, and  
13 24 the production of evidence. Subpoenas issued by a licensing  
13 25 board in a party state for the attendance and testimony of  
13 26 witnesses, or the production of evidence from another party  
13 27 state, shall be enforced in the latter state by any court of  
13 28 competent jurisdiction, according to the practice and  
13 29 procedure of that court applicable to subpoenas issued in  
13 30 proceedings pending before it. The issuing authority shall  
13 31 pay any witness fees, travel expenses, mileage, and other fees  
13 32 required by the service statutes of the state where the  
13 33 witnesses or evidence is located.

13 34 c. Issue cease and desist orders to limit or revoke an  
13 35 advanced practice registered nurse's privilege, license, or  
14 1 authority to practice in the state.

14 2 d. Promulgate uniform rules and regulations as provided  
14 3 for in article VIII, section c.

#### 14 4 ARTICLE VII == COORDINATED LICENSURE INFORMATION SYSTEM

14 5 a. All party states shall participate in a cooperative  
14 6 effort to create a coordinated database of all advanced  
14 7 practice registered nurses. This system shall include  
14 8 information on the advanced practice registered nurse  
14 9 licensure and practice requirements and disciplinary history  
14 10 of each advanced practice registered nurse, as contributed by  
14 11 party states, to assist in the coordination of the advanced  
14 12 practice registered nurse licensure or authority to practice  
14 13 and enforcement efforts.

14 14 b. Notwithstanding any other provision of law, all party  
14 15 states' licensing boards shall promptly report adverse  
14 16 actions, actions against multistate advanced practice  
14 17 privileges, any current significant investigative information  
14 18 yet to result in adverse action, denials of applications, and  
14 19 the reasons for such denials, to the coordinated licensure  
14 20 information system.

14 21 c. Current significant investigative information shall be  
14 22 transmitted through the coordinated licensure information  
14 23 system only to party state licensing boards.

14 24 d. Notwithstanding any other provision of law, all party  
14 25 states' licensing boards contributing information to the

14 26 coordinated licensure information system may designate  
14 27 information that shall not be shared with nonparty states or  
14 28 disclosed to other entities or individuals without the express  
14 29 permission of the contributing state.  
14 30 e. Any personally identifiable information obtained by a  
14 31 party state's licensing board from the coordinated licensure  
14 32 information system shall not be shared with nonparty states or  
14 33 disclosed to other entities or individuals except to the  
14 34 extent permitted by the laws of the party state contributing  
14 35 the information.

15 1 f. Any information contributed to the coordinated  
15 2 licensure information system that is subsequently required to  
15 3 be expunged by the laws of the party state contributing that  
15 4 information shall also be expunged from the coordinated  
15 5 licensure information system.

15 6 g. The compact administrators, acting jointly with each  
15 7 other and in consultation with the administrator of the  
15 8 coordinated licensure information system, shall formulate  
15 9 necessary and proper procedures for the identification,  
15 10 collection, and exchange of information under this compact.

15 11 ARTICLE VIII == COMPACT ADMINISTRATION AND  
15 12 INTERCHANGE OF INFORMATION

15 13 a. The head of the licensing board, or the head's  
15 14 designee, of each party state shall be the administrator of  
15 15 this compact for the head's state.

15 16 b. The compact administrator of each party state shall  
15 17 furnish to the compact administrator of each other party state  
15 18 any information and documents including, but not limited to, a  
15 19 uniform data set of investigations, identifying information,  
15 20 licensure data, and disclosable alternative program  
15 21 participation information to facilitate the administration of  
15 22 this compact.

15 23 c. Compact administrators shall have the authority to  
15 24 develop uniform rules to facilitate and coordinate  
15 25 implementation of this compact. These uniform rules shall be  
15 26 adopted by party states, under the authority invested under  
15 27 article VI, section d.

15 28 ARTICLE IX == IMMUNITY

15 29 A party state or the officers or employees or agents of a  
15 30 party state's licensing board who acts in accordance with the  
15 31 provisions of this compact shall not be liable on account of  
15 32 any act or omission in good faith while engaged in the  
15 33 performance of their duties under this compact. Good faith in  
15 34 this article shall not include willful misconduct, gross  
15 35 negligence, or recklessness.

16 1 ARTICLE X == ENTRY INTO FORCE, WITHDRAWAL, AND AMENDMENT

16 2 a. This compact shall enter into force and become  
16 3 effective as to any state when it has been enacted into the  
16 4 laws of that state. Any party state may withdraw from this  
16 5 compact by enacting a statute repealing the same, but such  
16 6 withdrawal shall not take effect until six months after the  
16 7 withdrawing state has given notice of the withdrawal to the  
16 8 executive heads of all other party states.

16 9 b. Withdrawal shall not affect the validity or  
16 10 applicability by the licensing boards of states remaining  
16 11 party to the compact of any report of adverse action occurring  
16 12 prior to the withdrawal.

16 13 c. This compact shall not be construed to invalidate or  
16 14 prevent any advanced practice registered nurse licensure or  
16 15 authority to practice agreement or other cooperative  
16 16 arrangement between a party state and a nonparty state that is  
16 17 made in accordance with the other provisions of this compact.

16 18 d. This compact may be amended by the party states. An  
16 19 amendment to this compact shall not become effective and  
16 20 binding upon the party states unless and until it is enacted  
16 21 into the laws of all party states.

16 22 ARTICLE XI == CONSTRUCTION AND SEVERABILITY

16 23 a. This compact shall be liberally construed so as to  
16 24 effectuate the purposes of the compact. The provisions of  
16 25 this compact shall be severable and if any phrase, clause,  
16 26 sentence, or provision of this compact is declared to be  
16 27 contrary to the constitution of any party state or of the  
16 28 United States, or the applicability of the compact to any  
16 29 government, agency, person, or circumstance is held invalid,  
16 30 the validity of the remainder of this compact and the  
16 31 applicability of the compact to any government, agency,  
16 32 person, or circumstance shall not be affected by that action.  
16 33 If this compact shall be held contrary to the constitution of  
16 34 any state which is party to the compact, the compact shall  
16 35 remain in full force and effect as to the remaining party  
17 1 states and in full force and effect as to the party state

17 2 affected as to all severable matters.  
17 3 b. 1. In the event party states find a need for settling  
17 4 disputes arising under this compact, the party states may  
17 5 submit the issues in dispute to an arbitration panel which  
17 6 shall be comprised of an individual appointed by the compact  
17 7 administrator in the home state, an individual appointed by  
17 8 the compact administrator in the remote state or states  
17 9 involved, and an individual mutually agreed upon by the  
17 10 compact administrators of all the party states involved in the  
17 11 dispute.

17 12 2. The decision of a majority of the arbitrators shall be  
17 13 final and binding.

17 14 Sec. 10. Section 272C.6, subsection 4, unnumbered  
17 15 paragraph 1, Code 2005, is amended to read as follows:

17 16 In order to assure a free flow of information for  
17 17 accomplishing the purposes of this section, and  
17 18 notwithstanding section 622.10, all complaint files,  
17 19 investigation files, other investigation reports, and other  
17 20 investigative information in the possession of a licensing  
17 21 board or peer review committee acting under the authority of a  
17 22 licensing board or its employees or agents which relates to  
17 23 licensee discipline are privileged and confidential, and are  
17 24 not subject to discovery, subpoena, or other means of legal  
17 25 compulsion for their release to a person other than the  
17 26 licensee and the boards, their employees and agents involved  
17 27 in licensee discipline, and are not admissible in evidence in  
17 28 a judicial or administrative proceeding other than the  
17 29 proceeding involving licensee discipline. However,  
17 30 investigative information in the possession of a licensing  
17 31 board or its employees or agents which relates to licensee  
17 32 discipline may be disclosed to appropriate licensing  
17 33 authorities within this state, the appropriate licensing  
17 34 authority in another state, the coordinated licensure  
17 35 information system provided for in the nurse licensure compact

18 1 contained in section 152E.1 or the advanced practice  
18 2 registered nurse compact contained in section 152E.3, the  
18 3 District of Columbia, or a territory or country in which the  
18 4 licensee is licensed or has applied for a license. If the  
18 5 investigative information in the possession of a licensing  
18 6 board or its employees or agents indicates a crime has been  
18 7 committed, the information shall be reported to the proper law  
18 8 enforcement agency. However, a final written decision and  
18 9 finding of fact of a licensing board in a disciplinary  
18 10 proceeding, including a decision referred to in section  
18 11 272C.3, subsection 4, is a public record.

18 12 Sec. 11. REPEAL. This Act is repealed effective July 1,  
18 13 2008.

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18 17 \_\_\_\_\_  
18 18 CHRISTOPHER C. RANTS  
18 19 Speaker of the House

18 20  
18 21 \_\_\_\_\_  
18 22 JOHN P. KIBBIE  
18 23 President of the Senate  
18 24

18 25 I hereby certify that this bill originated in the House and  
18 26 is known as House File 784, Eighty-first General Assembly.

18 27  
18 28  
18 29 \_\_\_\_\_  
18 30 MARGARET THOMSON  
18 31 Chief Clerk of the House

18 32 Approved \_\_\_\_\_, 2005

18 33  
18 34

18 35 \_\_\_\_\_  
19 1 THOMAS J. VILSACK  
19 2 Governor